

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1906

CERES MARINE TERMINALS, INCORPORATED,

Petitioner,

and

ARTHUR CARPENTER,

Claimant,

versus

DIRECTOR, OFFICE OF WORKERS' COMPENSATION
PROGRAMS, UNITED STATES DEPARTMENT OF LABOR,

Respondent.

On Petition for Review of an Order of the Benefits Review Board.
(01-841)

Submitted: March 4, 2003

Decided: March 12, 2003

Before WIDENER, WILKINSON, and KING, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Robert A. Rapaport, Dana Adler Rosen, CLARKE, DOLPH, RAPAPORT, HARDY & HULL, P.L.C., Norfolk, Virginia, for Petitioner. Eugene Scalia, Acting Solicitor of Labor, John F. Depenbrock, Associate Solicitor for Employee Benefits, Burke Wong, Whitney R. Given, UNITED STATES DEPARTMENT OF LABOR, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Ceres Marine Terminals seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's denial of special fund relief under § 8(f) of the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. § 908(f) (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence. See Ceres Marine Terminals, Inc. v. DOWCP, No. 01-841 (BRB July 17, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

The petition for review is accordingly

DENIED.